

266 CMR 4.00: ASSOCIATE HOME INSPECTOR TRAINING REQUIREMENTS

4.01: Duties and Requirements of the Trainee and Associate Home Inspector's Supervisor

1. Upon entering into the supervision program described by 266 CMR 4.00, the **Supervisor** shall assume all of the responsibilities described in 266 CMR 4.01 through 4.02. The **Supervisor** shall follow all of the state and federal laws, rules and regulations governing or related to the practice of home inspections and shall treat all supervisees in a professional and courteous manner.
2. The **Supervisor** shall be registered, and in good standing, in the Commonwealth as a **Home Inspector**.
3. The **Supervisor** may be the employer of the **Associate Home Inspector**.
4. A **Supervisor** shall personally approve the progress of the **Associate Home Inspector** he or she is supervising and shall make a detailed written evaluation of the **Associate Home Inspector** periodically, but no less frequently than once every three months. All evaluations shall be made available to the **Associate Home Inspector** upon request. The supervisor shall maintain these evaluations until the **Associate Home Inspector** is a fully licensed **Home Inspector** or five years from the date of the first supervised **Home Inspection**, (whichever occurs first).

The evaluation shall, at minimum, list the addresses of all **Home Inspections** conducted by the **Associate Home Inspector** and state the training and related technical instruction, which the **Associate Home Inspector** has received during the evaluation period.
5. The **Supervisor** shall certify the **Associate Home Inspector's** application as prescribed on the application form for licensure as a **Home Inspector**.
6. A **Supervisor** may supervise only one designated **Trainee** per inspection at any time.
7. **Direct Supervision.** The **Supervisor** is responsible for direct supervision of a **Trainee's Home Inspections**. Such **Direct Supervision** shall include:
 - a. The full time presence of the **Supervisor** at the inspection site.
 - b. The **Supervisor** must place his stamp and/or signature on the results of all inspections performed by a **Trainee** prior to a copy of the report being turned over to the **Client**.
 - c. The **Supervisor** shall sign of all sales and other business related documents prepared by a **Trainee**.

Deleted: Application for Associate Certificate

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(2) As a condition for applying for an associate home inspector's license ... [1]

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8. Indirect Supervision:

a. Only an Associate Home Inspector may be supervised indirectly.

b. The Supervisor must agree to take full responsibility for the contents of a report and, its compliance with the Standards of Practice, prior to allowing an Associate Home Inspector to perform a Home Inspection under Indirect Supervision.

4.02: Duties/ Work Requirements of Associate Home Inspector and Trainee

(1) In entering into supervision program prescribed by 266 CMR 4.00, an Associate Home Inspector and/or Trainee shall assume all of the responsibilities described in 266 CMR 4.01 through 4.02 and shall follow all of the state and federal laws, rules and regulations governing or related to the practice of home inspection.

(2) An Associate Home Inspector and/or Trainee shall perform Home Inspections and other duties as are assigned by his or her supervisor diligently and faithfully.

(3) An Associate Home Inspector and/or Trainee shall perform the functions of a Home Inspector in accordance with Board rules only under the supervision of a licensed Home Inspector.

(4) An Associate Home Inspector and/or Trainee shall treat all Clients and coworkers in a professional and courteous manner. He/she shall respect the property being inspected, the employer, Supervisor, and colleagues and shall abide by the Supervisor's work rules.

(5) An Associate Home Inspector and Trainee and may not sign a contractual home inspection agreement with a Client.

(6) An Associate Home Inspector and Trainee may not advertise as a Home Inspector and or as home inspection firm, company, franchise, corporation and or business.

REGULATORY AUTHORITY

M.G.L. c. 13, § 96, c.112, §§ 221-226.

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(1) Any person who meets the requirements of 266 CMR 3.01 (2)(b) may apply in writing for certification as an associate home inspector. The application shall be made on a form prescribed by the Board, which may be obtained from the Board at its offices.

(2) As a condition for applying for an associate home inspector's license, the applicant shall agree in writing to participate in and perform the training, functions and responsibilities prescribed for Associate Home Inspectors in 266 CMR 4.01 through 4.03 and agree to uphold standards of ethics and professional conduct.

(3) The applicant's supervisor, as defined in 266 CMR 4.02 shall certify the application as prescribed on the application form. The certification shall include a verification of the statements of the applicant and a statement that the supervisor agrees to participate in the associate home inspector program described in 266 CMR 4.01 through 4.03.

(4) The applicant's supervisor shall certify in writing that he/she is registered in good standing in the Commonwealth as a home inspector. He/she shall provide the appropriate registration number and date of expiration to the Board.

(5) The applicant shall accompany his/her application with the filing fees set by the Secretary of Administration and Finance. The fee shall be paid by personal check or money order.

(6) The Board shall notify an applicant promptly in writing whether or not his/her Associate application has been approved. If the Board approves the application, the Board shall issue to the applicant an associate home inspector license, and thereupon the computation of the one year period referred to in M.G.L. c. 112, § 222 (13)(c)(iii) shall begin.

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(5) The performance of 25 home inspections under the direct supervision of a licensed home inspector is considered by the Board to be approved as a "formal training program."

4.03: **Duties of Employer/Supervision Responsibilities**

(1) Every associate shall have one designated supervisor per inspection who shall carry out all the duties, functions and responsibilities of a supervisor as set forth in 266 CMR 4.01 through 4.03. Such supervisor shall sign the application form of the associate as set out in 266 CMR 4.01(3) certifying his or her agreement to be designated as the associate's supervisor. Such supervisor may or may not be the employer of the associate.

(2) In entering into the supervision program described by 266 CMR 4.00, a supervisor shall assume all of the responsibilities described in 266 CMR 4.01 through 4.03 and shall follow all of the state and federal laws, rules and regulations governing or related to the practice of home inspections and shall treat all customers, coworkers and associates in a professional and courteous manner.

(3) A supervisor may supervise only one designated associate per inspection at any given time.

(4) **Direct supervision.** The supervisor is responsible for direct, on site supervision of an associate applicant's first 25 home inspections. Such direct supervision shall include:

- (a) the presence of the supervisor at the inspection site to which the Associate is assigned all of the time which the Associate works;
- (b) actual oversight by the supervisor of all inspecting performed by the Associate;
- (e) written approval by the supervisor of the results of all inspections performed by the Associate; and
- (f) countersignature by the supervisor of all sales and other business related documents prepared by the associate.

(5) **Indirect Supervision/ Written report**

- (a) A supervisor shall personally approve the progress of the Associate he or she is supervising and shall make a detailed written evaluation of the Associate periodically, but not less frequently than once every three months. Such report shall be maintained by the supervisor for at least until the associate is a fully licensed home inspector.
- (b) The report shall list the specific inspections conducted and training and related technical instruction which the Associate has received during the three-month reporting period.
- (c) A supervisor shall sign the report under the penalties of perjury.

(6) A supervisor shall notify the Board of the completion or termination of all supervision programs.